

Amendment No. 1 to HB1027

Dean
Signature of Sponsor

AMEND Senate Bill No. 399*

House Bill No. 1027

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 54-21-122, is amended by adding the following language as a new subsection:

(h)

(1) All changeable message signs installed on or after July 1, 2014 shall come equipped with a light sensing device that automatically adjusts the brightness in direct correlation with ambient light conditions.

(2) The brightness of light emitted from a changeable message sign shall not exceed 0.3 foot candles over ambient light levels measured at a distance of one hundred fifty feet (150') feet for those sign faces less than or equal to three hundred square feet (300 sq. ft.), measured at a distance of two hundred feet (200') for those sign faces greater than three hundred square feet (300 sq. ft.) but less than or equal to three hundred eighty-five square feet (385 sq. ft.), measured at a distance of two hundred fifty feet (250') for those sign faces greater than three hundred eighty-five square feet (385 sq. ft.) and less than or equal to six hundred eighty square feet (680 sq. ft.), measured at a distance of three hundred fifty feet (350') for those sign faces greater than six hundred eighty square feet (680 sq. ft.), or subject to the measuring criteria in the applicable table set forth in subdivision (h)(4).

(3) Any measurements required pursuant to this subsection shall be taken from a point within the highway right-of-way at a safe distance from the lane of

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the main traveled way and as close to perpendicular to the face of the changeable message sign as practical. If perpendicular measurement is not practical, valid measurements may be taken at an angle up to forty-five degrees (45 degrees) from the center point of the sign face.

(4) In the event it is found not to be practical to measure a changeable message sign at the distances prescribed in subdivision (h)(2) a measurer may opt to measure the sign at any of the alternative measuring distances described in the applicable table set forth in this subdivision (h)(4). In the event the sign measurer chooses to measure the sign using an alternative measuring distance, the prescribed foot candle level above ambient light shall not exceed the prescribed level, to be determined based on the alternative measuring distances set forth in the following tables (A), (B), (C), and (D), as applicable:

(A) For changeable message signs less than or equal to 300 square feet:

| Alternative Measuring Distance: | Prescribed Foot Candle Level: |
|---------------------------------|-------------------------------|
| 100 | 0.68 |
| 125 | 0.43 |
| 150 | 0.3 |
| 200 | 0.17 |
| 250 | 0.11 |
| 275 | 0.09 |
| 300 | 0.08 |
| 325 | 0.06 |

| | |
|-----|------|
| 350 | 0.06 |
|-----|------|

| | |
|-----|------|
| 400 | 0.04 |
|-----|------|

(B) For changeable message signs greater than 300 square feet but less than or equal to 385 square feet:

| Alternative Measuring Distance: | Prescribed Foot Candle Level: |
|---------------------------------|-------------------------------|
|---------------------------------|-------------------------------|

| | |
|-----|-----|
| 100 | 1.2 |
|-----|-----|

| | |
|-----|------|
| 125 | 0.77 |
|-----|------|

| | |
|-----|------|
| 150 | 0.53 |
|-----|------|

| | |
|-----|-----|
| 200 | 0.3 |
|-----|-----|

| | |
|-----|------|
| 250 | 0.19 |
|-----|------|

| | |
|-----|------|
| 275 | 0.16 |
|-----|------|

| | |
|-----|------|
| 300 | 0.13 |
|-----|------|

| | |
|-----|------|
| 325 | 0.11 |
|-----|------|

| | |
|-----|-----|
| 350 | 0.1 |
|-----|-----|

| | |
|-----|------|
| 400 | 0.08 |
|-----|------|

(C) For changeable message signs greater than 385 square feet but less than or equal to 680 square feet:

| Alternative Measuring Distance: | Prescribed Foot Candle Level: |
|---------------------------------|-------------------------------|
|---------------------------------|-------------------------------|

| | |
|-----|------|
| 100 | 1.88 |
|-----|------|

| | |
|-----|-----|
| 125 | 1.2 |
|-----|-----|

| | |
|-----|------|
| 150 | 0.83 |
|-----|------|

| | |
|-----|------|
| 200 | 0.47 |
|-----|------|

| | |
|-----|-----|
| 250 | 0.3 |
|-----|-----|

| | |
|-----|------|
| 275 | 0.25 |
|-----|------|

| | |
|-----|------|
| 300 | 0.21 |
|-----|------|

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|-----|------|
| 325 | 0.18 |
|-----|------|

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|-----|------|
| 350 | 0.15 |
|-----|------|

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|-----|------|
| 400 | 0.12 |
|-----|------|

(D) For changeable Message Sign greater than 680 square feet:

| Alternative Measuring Distance: | Prescribed Foot Candle Level: |
|---------------------------------|-------------------------------|
| 100 | 3.675 |
| 125 | 2.35 |
| 150 | 1.63 |
| 200 | 0.92 |
| 250 | 0.59 |
| 275 | 0.49 |
| 300 | 0.41 |
| 325 | 0.35 |
| 350 | 0.3 |
| 400 | 0.23 |
| 425 | 0.2 |
| 450 | 0.18 |
| 500 | 0.15 |

(5) This subsection shall apply to all changeable message signs located in this state operated pursuant to a permit issued by the commissioner.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.